## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DOREEN WOODWARD, Individually and : CIVIL ACTION

as Administrator of the Estate of John : David Woodward, Jr., deceased, and as : Parent and Natural Guardian of E.W., a :

Minor :

v. :

:

CHRISTOPHER BASHORE, Individually : and in his Capacity as West Goshen : Township Manager, WEST GOSHEN : TOWNSHIP, and WEST GOSHEN :

TOWNSHIP BOARD OF DIRECTORS : NO. 23-5126

## <u>ORDER</u>

**NOW**, this 25th day of June, 2024, upon consideration of the Motion to Dismiss Second Amended Complaint Pursuant to Fed.R.Civ.P. 12(b)(6) (Doc. No. 15), the plaintiffs' response, and the defendants' reply, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

## IT IS FURTHER ORDERED as follows:

- 1. To the extent the motion seeks dismissal of Counts V, VII, and VIII of the Second Amended Complaint, it is **DENIED**.
- 2. To the extent the motion seeks dismissal of Count VI of the Second Amended Complaint, it is **GRANTED**.
  - 3. Count VI of the Second Amended Complaint is **DISMISSED**.
- 4. The Plaintiffs having withdrawn the state law claims for intentional and negligent infliction of emotional distress, Counts I, II, III, and IV are **DISMISSED.**

TIMOTHY J SAVAGE, J.